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DEC 21 2009

United States District Court

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
ST. LOUIS

GREGORY MCKENNA,

Plaintiff

Vs.

THE ST. LOUIS COUNTY POLICE DEPARTMENT,  
OFFICERS CHARLES BOSCHERT, KENNETH  
WILLIAMS, 8 UNKNOWN AGENTS OF THE  
FEDERAL BUREAU OF INVESTIGATION,  
MARK KAPPELHOFF, APPLE INC., A-1  
PRIVATE INVESTIGATIONS, TIMOTHY  
BONINE, D'ANGELO AUTOMOTIVE,

Case No. 4:09cv1113CDP

**JURY DEMANDED**

Defendants

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PLAINTIFF'S NOTICE TO THE COURT REGARDING HIS MOTION TO RESPOND TO  
DEFENDANTS THE ST. LOUIS COUNTY POLICE, CHARLES BOSCHERT, AND  
KENNETH WILLIAMS' MOTION TO DISMISS PLAINTIFF'S FIRST COMPLAINT  
COMES NOW, pro se Plaintiff Gregory McKenna, and for his Notice to the Court states the following:

- (1) On October 30, 2009, Defendants the St. Louis County Police (STLPD), Charles Boschert (Boschert) and Kenneth Williams (Williams) filed a Motion to Dismiss Plaintiff's Complaint.
- (2) On November 20, 2009, Plaintiff Gregory McKenna filed a Motion to Amend his Complaint.
- (3) On November 25, 2009, Plaintiff submitted via US Postal Mail his Response To Defendants the STLPD, Boschert, and Williams' Motion to Dismiss.
- (4) On December 9, 2009, Defendants the STLPD, Boschert and Williams filed a second Motion to Dismiss Plaintiff's Amended Complaint.

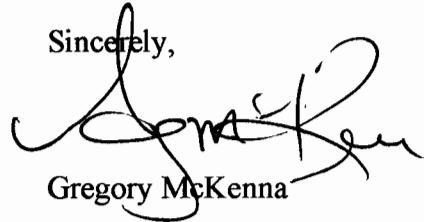
- (5) On December 11, 2009, the Court finally received Plaintiff's Response to Defendants the STLPD, Boschert and Williams' first Motion to Dismiss. Plaintiff's Response was allegedly delayed by the US Postal Service for 2 weeks and then filed two days after the Defendants filed their second Motion to Dismiss Plaintiff's Amended Complaint. To add to the confusion, a Court Clerk filed only 8 of 10 pages of Plaintiff's Response when it was received.
- (6) On December 16, 2009, Plaintiff was informed by a Court Clerk named Melissa who works for Judge Perry that the US Postal Service delayed mailing his Response to the Defendants' Motion to Dismiss his first Complaint. The US Postal Service or an agent thereof has allegedly delayed mailing Court documents to and from Plaintiff's Beverly Hills residence. Plaintiff never received Defendant D'Angelo Automotive's Motion to Dismiss filed on October 12, Defendant Kappelhoff's Opposition to Plaintiff's Motion for Entry of Default Judgment filed on November 13 (sent via US Certified Mail), Defendant Apple Inc.'s Motion to Dismiss filed on November 30 and Defendant Kappelhoff's Motion to Dismiss filed on December 9 (sent via US Certified Mail).
- (7) Concurrent with the behavior of Judge Sherry in Plaintiff's former lawsuit against Defendant D'Angelo Automotive when she intentionally delayed mailing a Notice of Hearing to the Plaintiff (*See* Plaintiff's First Complaint, ¶¶ 161-163), the delayed mailing of Plaintiff's Response by an agent of the US Postal Service was allegedly intended to cause a default ruling against Plaintiff in favor of Defendants the STLPD, Boschert, and Williams.
- (8) Consequently, there exists confusion regarding the document to which Plaintiff is responding. Plaintiff intends to file a second Response to the Defendants' Motion to Dismiss

his Amended Complaint in less than 15 days.

WHEREFORE Plaintiff hereby notifies the Court that he intends to file a response to Defendants the STLPD, Boschert, and Williams' Motion to Dismiss his Amended Complaint.

Date: December 16, 2009.

Sincerely,



Gregory McKenna

Pro Se Plaintiff

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Beverly Hills, CA 90212

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Gregory M. Kenna  
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ATTY GEN. OFFICE OF THE STATE OF CALIFORNIA



US District Court

Attn: Clerk's Office

111 South 10th Street  
St. Louis, MO 63102

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